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APPLICATION NUMBER	FLING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
08/632,298	04/12/96	MOHSEN	A M-1007US
		EXAMINER	
		LM21/0121	
		ALAN H MACPHERSON SKJERVEN MORRILL MACPHERSON FRANKLIN & FRIEL 25 METRO DRIVE SUITE 700 SAN JOSE CA 95110	TRANS. V ART UNIT 9 PAPER NUMBER 2763
			DATE MAILED: 01/21/98

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

#### OFFICE ACTION SUMMARY

Responsive to communication(s) filed on July 31, 1997

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

#### Disposition of Claims

Claim(s) 20-77 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 20-77 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

#### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

Notice of Reference Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 8

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

-SEE OFFICE ACTION ON THE FOLLOWING PAGES-

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1. This is responsive to communication filed on July 28, 1997.
2. Claims 20-77 are pending in this application.
3. The rejection of claims 20-77 under the judicially created doctrine of obviousness-type double patenting dated March 26, 1997 is incorporated by reference.
4. The rejection of claims 20-77 under 35 U.S.C. 102(e) as being anticipated by Chang et al dated March 26, 1997 is incorporated by reference.
5. Applicant's arguments filed July 31, 1997 have been fully considered but they are not persuasive.

The disclosure of Chang et al in which the examiner relied upon is disclosed in the application filed on 22 February 1989. Thus, the Chang et al reference qualifies as 35 U.S.C. 102(e). It is suggested applicant to order a certified copy of the application having Serial No. 07/314,817 named Chang et al as inventors.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent N. Trans whose telephone number is (703) 305-9750. The examiner can normally be reached on Tuesday, Wednesday and Friday from 8:30AM to 5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Teska, can be reached on (703) 305-9704.

The fax phone numbers for this Group are (703) 308-9051 and (703) 308-9052.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.



VINCENT N. TRANS  
PRIMARY EXAMINER